IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.783 OF 2006
WITH
CIVIL APPLICATION NO.726 OF 2007
IN
SECOND APPEAL NO.783 OF 2006

Hirabai Tuka Yejare & Anr. .. Appellants.
Vs.
Dhondiba Bhau Bharade .. Respondent.

Mr.S.V.Sadavarte for the appellants.
Mr.V.B.Rajure for the respondent.

CORAM : D.B.BHOSALE, JJ.
DATED : 25TH JULY, 2007.

P.C.:

. Heard learned counsel for the parties.

2. This second appeal does not raise any substantial question of law. The appellate court has discussed entire evidence carefully and cogently and recorded a categoric finding that the defendants have committed encroachment to the extent of 4 Ares over the land owned by the plaintiff. The findings which has been arrived at by the courts below, in my opinion, is entirely based on evidence on the record. The appellate court has discussed the evidence of surveyor in paragraph 7 of the judgment. Considering the concurrent findings of fact recorded by the courts below and as I find sufficient material on record to sustain those findings no interference is warranted in the instant appeal. The second appeal is accordingly dismissed. Consequently, the civil application is also disposed of.

(D.B.BHOSALE, J.)